

REMARKS

This Amendment, submitted in response to the Office Action dated February 17, 2004, is believed to be fully responsive to each point of rejection raised therein. Accordingly, favorable reconsideration on the merits is respectfully requested.

Claims 1-37 are pending in the present application. Claims 3, 5-11, 14-16, 19, 20, 22-24, 27 and 31-37 have been objected to as being dependent upon a rejected base claim, but would be allowed if rewritten in independent form. Claims 1, 2, 4, 12, 13, 17, 18, 21, 25, 26 and 28-30 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Takano *et al.* (Takano) (US 5,053,014). Applicant submits the following in traversal of the rejections.

Takano discloses an image forming apparatus including a main body 2 for copying an image and a cassette 1 containing paper 5 for printing an image. A bar code 12, representing characteristics of paper 5 in cassette 1, is printed on an outer surface side of the cassette 1. A black bar 13 is also printed on the outer surface side of the cassette 1 and is used to indicate how much paper 5 remains in the cassette. See abstract and col. 2, lines 40-67.

Claim 1

The Examiner asserts that the elements of claim 1 is disclosed in Takano. Claim 1 recites a discriminator for storing reference information representing acceptable recording material.

Takano discloses that the data represented by a bar code is read by the main body 2, and if the data indicates that the cassette is other than the contemplated one, a decision is made to the effect that the cassette should not be used. See col. 6, line 66 to col. 7, line 2. However, there is

no indication of a discriminator as recited in claim 1. In particular, there is no indication of a discriminator which stores reference information representing acceptable recording material.

Therefore, claim 1 and its dependent claims should be deemed patentable. Since claims 21 and 30 recite similar elements, claims 21 and 30 should be deemed patentable for the same reasons.

Claim 4

Claim 4 recites that the discernment information is provided on the recording material in an externally readable manner. It appears the Examiner is referring to bar code 12 for teaching the discernment information of claim 4. However, bar code 12 is located on an outer surface of cassette 1 which contains paper 5. The bar code information 12 is not on the paper 5 (recording material). Therefore, claim 4 and its dependent claims should be deemed patentable.

Claim 12

Claim 12 recites that the discernment information is constituted by positioning indicia disposed on the recording material in a predetermined position and adapted to recording material positioning for printing.

As previously indicated, the bar code 12 is printed on the cassette 1 and not on the paper 5. Discernment information constituted by positioning indicia is not disposed on the recording material as recited in claim 12. Therefore, claim 12 and its dependent claims should be deemed patentable.

Claim 21

Claim 21 recites a recording material with a front surface and a back surface and the discernment information is prerecorded on the printing surface or the back surface. There is no indication that discernment information is prerecorded on recording material in Tanaka. At most, Tanaka discloses that a bar code is printed on the outside surface of a cassette. There is no indication that information is recorded on a printing surface or a back surface of a recording material, as recited in claim 21. Therefore, claim 21 should be deemed patentable.

Since claims 28 and 29 recite similar elements, they should be deemed patentable for the same reason.

Applicant has added claims 38-40 to further define the present invention.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.


Respectfully submitted,

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